



State of Utah

OLENE S. WALKER
Governor

GAYLE McKEACHNIE
Lieutenant Governor

Administrative Services

S. CAMILLE ANTHONY
Executive Director

Purchasing and General Services

DOUGLAS RICHINS
Division Director

September 8, 2004

*****ADDENDUM*****ADDENDUM*****

BID NUMBER: PM5030
DUE DATE: 09/14/04
TIME: 2:00 P.M.
ADDENDUM #1: PM5030 AD1

DESCRIPTION: RECLAMATION CONSTRUCTION – WHITE OAK MINE PROJECT

PLEASE NOTE CHANGES PER THE ATTACHED DOCUMENT :

1.. The bid due date and time remain the same.

To acknowledge receipt of addendums, either include a copy of addendum with bid submittal or give written acknowledgement with bid. It shall be the responsibility of the bidder to appropriately disseminate this information to all concerned prior to the assigned bid time.

Signature

Date

Company Name

WHITE OAK MINE PROJECT
AMR/007/934
RX 560 52000000003

ADDENDUM 1: INVITATION FOR BIDS

This addendum, applicable to work designated herein, shall be part of and included in the Contract. All revisions noted herein shall apply to all parts of the Drawings and Specifications affected by those revisions, whether or not specifically noted below.

Re: Invitation for Bids Additional information Changes

PLEASE NOTE BID NUMBER HAS CHANGED. THE NEW BID NUMBER IS PM5030.

At the prebid meeting on September 7, 2004, certain changes were discussed. This summary serves as an official clarification of changes made to the Invitation for Bids.

1. Contractor Information Availability

Information on bid specifications for downloading, plan holders and meeting attendees is online at: <http://ogm.utah.gov/amr/contract.htm>

2. Section 0280 – Drainage Control

2.02 – Riprap

Onsite riprap shall be utilized for drainage construction. Riprap shall be durable sandstone material and contain no shale or shaley sandstone materials. Riprap shall not exceed 18-inches in any direction.

3. Section 0290 – Revegetation

2.01 – Plant Materials

Suggested plant materials sources include:

H Barton Seed Russell Barton 222 E Union Street Manti UT 84642 (435) 851-2347	Maughan Seed Brad Maughan PO Box 72 Manti UT 84642-0072 (435) 835-0404	Stevenson Intermountain Seed Ron Stevenson 488 South 100 East Ephraim UT 84627 (435) 283-6639
Bitterroot Restoration BRI 445 Quast Lane Corvallis, MT 59828 Phone: (406) 961-4991 Fax: (406) 961-4626	Mountain West Seed Jeremy Andreason 19 North 100 West Ephraim UT 84627 (435) 283-4704	Steve Parr Upper Colorado Environmental Plant Center 5538 RBC #4 Meeker, CO 81641 (970) 878-5003
Fremont Trading Richard Stevens 450 South 50 East Ephraim UT 84627 (435) 283-4701	NP Seed Jim Rhodes 206 East 300 South Manti UT 84642 (435) 835-8301	Wagstaff Seed Fred Wagstaff PO Box 68 Wallsburg UT 84082 (435) 654-3439
Granite Seed Don Bermant 1697 West 2100 North Lehi UT 84043 (801) 768-4422	Native Seed Kyle Wagstaff 7361 Pineridge Drive Park City UT 84772 (435) 640-0557	Wheatland West Seed Orson Boyce 1780 N Hwy 38 Brigham City UT 84302 (435) 734-9191
Harvest Moon Jimmy Goble 525 East 300 North	Plummer Seed Mark Plummer 228 East 200 North Ephraim UT 84627	Lone Peak Conservation Nursery 271 West Bitterbrush Lane

Richfield UT 84701 (435) 979-8549 or (435) 896-6129	(435) 283-4844	Draper UT 84020 (801) 571-0900
Intermountain Seed Company Eric Christensen 445 South 100 East Ephraim UT 84627 (435) 283-4703	Rocky Mountain Seed Jeff Hallows PO Box 355 Aurora UT 84620 (435) 529-7319	

4. Section 0290 – Revegetation

3.03 – Mulching
Mulching shall not be required.

5. Section 0290 – Revegetation

3.04 – Seedbed Preparation/surface roughening
Hummocks and depressions shall be 24-inches to 36-inches relief.

7. Section 0290 – Revegetation

3.05 – Seeding
Seeding shall take place immediately following the completion of final seedbed preparation. Hand raking, manual use of a drag chain, or sweeping with sturdy tree or shrub branches shall not be required.

8. Section 0300 – Specific Site Requirements

1.01 – Work Included
Work shall be phased in concurrence with the OWNER for possible use of Area 10 for the Skyline Mine waste rock storage. Bid shall be written as shown on the Drawings. Any modification to the Work will be addressed after the Work begins.

9. Section 0300 – Specific Site Requirements

3.03 – Work Required at Individual Area Sites
T. Area 19: [side drainage channel] A riprap channel shall be installed extending down the slope along the west edge of Area 10 as shown on Map Sheet D3. The riprap channel will be approximately 900 feet long extending down the slope from the tree line to the drainage bottom. The channel shall be constructed with a bottom width of five feet and depth of one foot as shown on Map Sheet D5. Riprap shall consist of minus 6-inch graded durable rock material. The lining shall be geotextile filter blanket installed as shown on the drawings. Approximately 900 linear feet of fabric and 863 cubic yards of rock material will be required for the channel. Approximate drain alignment shall be along the western edge of Area 10 as shown on Map Sheet D3. All drainage construction shall be conducted in accordance with Technical Specification Section 0280 – Drainage Control & Stream Protection, and as shown on the drawings in Appendix D.

10. Bid Schedule

The Bid Schedule shall be replaced with the attached schedule to reflect the addition of new area description for Area 19, side drainage channel.

The Contractor is requested to acknowledge the receipt of this addendum in the blank provided on the Proposal.

Proposal

NAME OF BIDDER _____ DATE _____

**TO THE DIVISION OF PURCHASING
3150 STATE OFFICE BUILDING
SALT LAKE CITY, UTAH 84114**

Re: RX No: 560 52000000003

Gentlemen:

The undersigned, in compliance with your invitation for bids for the

WHITE OAK MINE RECLAMATION CONSTRUCTION

having examined the Drawings and Specifications, related documents, and the site of the proposed work and being familiar with all of the conditions surrounding the construction of the proposed project, including the availability of labor, hereby propose to furnish all labor, materials, and supplies as required for the WORK in accordance with the CONTRACT documents as specified and within the time set forth and at the price stated below. This price is to cover all expenses incurred in performing the WORK required under the CONTRACT Documents of which this Proposal is a part. Negotiation of BID PRICE shall be completed with the OWNER prior to final execution of the CONTRACT.

I/We acknowledge receipt of the following addenda:

For all WORK shown on the Drawings and described in the Specifications, I/we agree to perform for the sum of:

_____ DOLLARS (\$ _____)
(In case of discrepancy, written amount shall govern)

For your consideration, we further propose the following ALTERNATIVES for the following total amounts to be added/deducted to/from the above bid amount:

_____ Add \$ _____ Deduct \$ _____

I/We guarantee to complete the WORK within 120 calendar days after receipt of Notice to Proceed, should I/we be the successful bidder.

For your consideration I/we propose an alternative amount of time to complete the WORK after Notice to Proceed, should I/we be the successful bidder. Such an extension allows the following total amount to be deducted from the bid amount:

Alternative: _____ Total Calendar Days _____ Deduct \$ _____

This bid shall be good for 45 days after bid opening.

Enclosed is _____, as required, in the sum of \$ _____
(Bond or Check)

PROPOSAL

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If applicable, the CONTRACTOR shall certify that all reclamation fees or civil penalty assessments required by the provision of the Surface Mining Control and Reclamation Act of 1977, P.L. 95-87, 30 U.S.C. Sec 1201 et seq., have been paid. Provided further, this certification requirement shall also apply to all Subcontractors utilized by the successful bidders.

Upon receipt of notice of acceptance of this bid, the undersigned agrees to execute the CONTRACT within five (5) days and deliver OWNER's protective bond (performance and bid) in the prescribed form in the amount of 100% of the general construction contract price for faithful performance of the CONTRACT. The certified check, cashier's check or Bid Bond attached, in the amount not less than five percent (5%) of the above BID PRICE, shall become the property of the Division of Oil, Gas & Mining in the event that the CONTRACT is not negotiated and/or the OWNER's Protective Bond delivered within the time set forth, as liquidated damages for the delay and additional expense caused thereby.

SUBSTITUTIONS AND ALTERNATIVES:

The following substitutions and/or alternatives of materials and/or equipment are proposed for your consideration:

Item	Manufacturer and Description	Addition	Deduction
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____
_____	_____	\$ _____	\$ _____

CONTRACTOR shall furnish and attach to this proposal all submittals as required in the specifications:

- | | |
|--|--|
| <input type="checkbox"/> Section 0230, Part 1, 1.02 | <input type="checkbox"/> Section 0280, Part 1, 1.02, A-D |
| <input type="checkbox"/> Section 0240, Part 1, 1.02, A | <input type="checkbox"/> Section 0290, Part 1, 1.02, A-B |
| <input type="checkbox"/> Section 0270, Part 1, 1.02, A-B | |

The undersigned CONTRACTOR's License Number for Utah is _____

Type of Organization:

(Corporation, Co-Partnership, Individual, etc.)

SEAL
(If a Corporation)

(Tax ID No.)

Respectfully submitted,

Name of Bidder

Address

Authorized Signature

STATE OF UTAH
Division of Purchasing
Agency Contract Bond Statement

BIDDING REQUIREMENTS

A 5% bid bond or cashier's check is required by all vendors bidding on this project. The bid bond must be attached to bid **or it will be disqualified.** Checks submitted will be returned certified mail after an official award has been made.

AWARD REQUIREMENTS

A 100% performance/payment bond will be required from the award vendor within 14 days after notification of award. Bonds must be in the form of a cashiers check (no personal or business checks) or a surety bond from a licensed surety company doing business in the State of Utah.

Performance/payment bonds (or checks) will be **held as security for a period of 12 months after completion of project**, per state law. Checks submitted will be returned certified mail only after this specified time. Bidder's name must be the same on both the bid forms and all bonds submitted.

Please indicate which method of bonding will be used if awarded this job:

_____ 100% CASHIERS CHECK

_____ 100% PERFORMANCE/PAYMENT BOND

Bond/Ins Company _____

Agent name _____

Fax # _____ Phone # _____

Upon awarding, the requesting agency will fax a verification to the bonding company listed above to start the bonding process. It is then the responsibility of the vendor to follow through with their bonding agent to assure the bond is processed. After the bonding company sends the bond to vendor for signatures, it is the responsibility of the vendor to mail or hand carry the original bond (no copies or faxes accepted) to the requesting agency, to the attention of the contract person listed on the bid. **No work can commence until the requesting agency has receipt of this performance/payment bond.** After this time the contract will be officially released to the award vendor.

Bid Bond

Date Bond Executed

Principal

Surety

Sum of Bond

KNOW ALL MEN OF THESE PRESENTS, that we, the PRINCIPAL AND SURETY above named, are held and firmly bound unto the STATE OF UTAH, ACTING BY AND THROUGH THE DIVISION OF OIL, GAS AND MINING OF UTAH, IN THE SUM OF THE AMOUNT STATED ABOVE, FOR THE PAYMENT OF WHICH SUM WELL AND TRULY TO BE MADE, we bind ourselves, our heirs, executors, administrators, and successors, jointly and severally, firmly by these presents. THE CONDITION OF THIS OBLIGATION IS SUCH that whereas the principal has submitted the accompanying bid, dated as shown above, for

\$ _____

NOW THEREFORE, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that if the said principal shall execute a CONTRACT and give bond to be approved by the Oblige for the faithful performance thereof within ten (10) days after being notified in writing of such CONTRACT to the principal, this obligation shall then be null and void; otherwise it shall remain in full force and effect.

IN WITNESS WHEREOF, the above bounden parties have executed this instrument under their several seals on the date indicated above, the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

Individual or Partnership Principal

Corporate Principal

Business Address

Business Address

By:

Affix
Corporate
Seal

Title

Corporate Surety:

Business Address

NOTE: If certified or cashier's check is used in lieu of Bid Bond, a certificate from an approved surety company guaranteeing execution of a full performance bond must accompany bid.

By:

Affix
Corporate
Seal

Attorney-in-Fact

STATE OF UTAH)
COUNTY OF SALT LAKE)

_____, being first duly sworn on oath, deposes and says that he/she is the Attorney-in-Fact of the above-named Surety Company, and that he/she is duly authorized to execute the same and has complied in all respects with the laws of Utah in reference to becoming sole surety upon bonds, undertakings and obligations.

Subscribed and sworn to before me this _____ day of _____, 20____.

My commission expires _____.

Attorney-in-Fact

Bidder's Proposed Subcontractors, Suppliers & Vendors List

**WHITE OAK MINE PROJECT
RECLAMATION CONSTRUCTION
AMR/007/934**

Utah Division of Oil, Gas & Mining

We submit the following list of first-tier subcontractors, suppliers and vendors for OWNER approval. We recognize this list as binding on us, and acknowledge OWNER'S right to reject any or all subcontractors, suppliers or vendors listed or unlisted which the OWNER feels are unqualified to do the work.

SUBCONTRACTOR	CONTRACT AMOUNT	STATE CONTRACTOR'S LICENSE NO.	LICENSE LIMIT
Excavation:			
Concrete Fabrication:			
Masonry:			
Demolition:			
Steel Fabrication:			
Revegetation:			
Trucking/Transport:			
Polyurethane Foam:			
Other:			
Other:			
Other:			

BIDDER'S PROPOSED SUBCONTRACTORS, SUPPLIERS & VENDORS LIST

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SUPPLIER/VENDOR	AMOUNT	PRODUCT
Ready-Mix:		
Cement/Block:		
Steel:		
Polyurethane Foam:		
Other:		
Other:		
Other:		

We certify that:

1. This list includes all subcontractors, suppliers and vendors whose bids exceed \$5,000 (for prime contractor bids less than \$250,000) or \$25,000 (for prime contractor bids of \$250,000 or more).
2. Where we have listed "Self" it is our intent to perform said work and that we generally and regularly perform that type of work, and are appropriately licensed.
3. Any approved change in sub-bidders, suppliers or vendors which results in a lower contract price for sub-bid work shall accordingly reduce the total sum of the prime contract.

Signed by: _____

Firm: _____

Date: _____

Note: Failure to submit this form properly completed and signed within 24 hours (not including Saturday, Sunday, or State holidays) of the bid opening may be grounds for OWNER'S refusal to enter into a written CONTRACT with BIDDER. Action will be taken against BIDDER'S bid bond or cashier's check as deemed appropriate by OWNER. Timely notice of unacceptable subcontractors, suppliers or vendors will be given to the BIDDER. Reporting of subcontractors may be required for conformance with 63A-5-208 UCA.

Minority And Woman Business Enterprise Representation

The offeror represents that it ☐ is ☐ is not a minority business enterprise.

A minority business enterprise is defined as a concern that:

- 1) is at least 51 percent owned by one or more individuals who are socially and economically disadvantaged, or a publicly owned business having at least 51 percent of its stock owned by one or more individuals who are socially and economically disadvantaged individuals; and
- 2) has its management and daily business controlled by one or more such individuals.

Qualified groups. The offeror shall presume that socially and economically disadvantaged individuals include Black Americans, Hispanic American, Native Americans, Asian-Pacific American, Asian-Indian Americans, and other individuals found to be qualified by the Small Business Administration under 13 CFR 124.I.

The offeror represents that it ☐ is ☐ is not a woman business enterprise.

A woman business enterprise is defined as a concern that:

- 1) is at least 51 percent owned by one or more women, or a publicly owned business having at least 51 percent of its stock owned by one or more women; and
- 2) has its management and daily business controlled by one or more of the women owners.

Business firms which are 51 percent owned by minorities or women, but are in fact managed and operated by non-minority individuals do not qualify as minority or woman business enterprises.

The offeror represents that the following proposed subcontractor(s) is (are) a minority or woman business enterprise:

Signature of Offeror

Title

Date

This information is requested for Federal reporting purposes only. Minority/woman status has no bearing on the selection of a contractor.

Applicant/Violator System Eligibility Check

Federal regulations (30 CFR 874.16) effective July 1, 1994, require all successful bidders on contracts funded through Title IV of the Surface Mining Control and Reclamation Act (SMCRA) of 1977 to be eligible under 30 CFR 773.15(b)(1) to receive a permit to conduct surface coal mining operations. In general, this means that the Utah Abandoned Mine Reclamation Program may not hire a contractor who is or whose company is associated with a coal mine operator with outstanding unabated violations under SMCRA. The regulations further require that contractor eligibility be confirmed by the Applicant/Violator System (AVS) at the U.S. Office of Surface Mining (OSM). Compliance checks are also required for all subcontractors receiving 10% or more of the total contract amount.

To comply with these rules, prospective bidders must provide the Division of Oil, Gas and Mining with information on the ownership and control of the firm for AVS review. A bidder must receive a recommendation of "Issue" or "Conditional Issue" from the OSM AVS office to be awarded the contract.

The two apparent low bidders shall submit to DOGM within 24 hours (excluding weekends and holidays) of the bid opening either a notarized copy of the "AML Contractor Ownership and Control Information Package" or else a copy of the "AML Contractor Ownership and Control Data Certification" updating and certifying previously submitted information. DOGM will provide forms for these submissions or you may download from the Internet at <http://www.avs.osmre.gov>. DOGM will submit the ownership and control information to OSM for AVS review. OSM's review will be completed within 72 hours if the ownership and control data entry is complete.

Bidders may choose to submit the required information prior to submitting the bid proposal in order to facilitate data entry by OSM and expedite the AVS review and contract award process. Forms may be obtained from DOGM.

The following information is required for the "AML Contractor Ownership and Control Information Package":

- Contractor's identity (name, address, telephone, Social Security number, Employee ID number).
- Contractor's legal structure (sole proprietorship, partnership, corporation).
- Identities (name, address, telephone, SSN, EIN, % ownership) of every officer, general partner, shareholder (10% voting stock), director, or other controlling entity.
- Identities of parties with the authority to commit the assets of the firm.
- Identities of other relationships that give direct or indirect authority over the execution of the work.
- List (name, address, permit number, MSHA number) of all permits issued in the last five years to or pending permit applications for coal mining operations by any parties identified above.
- All of the above information for any subcontractor with 10% of the contract amount.

**White Oak Mine Project
Summary Bid Schedule**

	<u>Lump Sum Amount</u>
SITE ACCESS & IMPROVEMENT	\$ _____
DEMOLITION & CLEANUP	\$ _____
SITE GRADING & EARTHWORK	\$ _____
STREAM RESTORATION	\$ _____
REVEGETATION	\$ _____
MOBILIZATION/DEMOBILIZATION	\$ _____
BONDS & INSURANCE	\$ _____
 TOTAL CONTRACT BID PRICE	 \$ _____

TOTAL CONTRACT BID PRICE WRITTEN:

DATE: _____ BY: _____

FIRM: _____

By the above signature I/we acknowledge that I/we have examined the site conditions and have made the measurements and evaluations necessary to plan and bid the WORK.

Note: The "Variation in Quantity Unit Price" on the Mine Closure Bid Schedule will be used for adjustments to the CONTRACT amount where the actual WORK quantity varies by more than 15% from the estimated quantity listed in the bid schedule (see Supplementary Condition No. 6: Variation in Estimated Quantity). The "Variation in Quantity Unit Price" will also be used as the basis for determining costs for closures not currently specified in the WORK that may be added in the future by change order. Award of CONTRACT will be based on consideration of both the base "Bid Price" and the "Variation in Quantity Unit Price" for additional/reduced WORK.

**White Oak Mine Project
Bid Schedule**

Reclamation Action Item Site No. and Name	Specification Section	Tag Number	Estimated Quantity	Lump Sum Amount(\$)	Variation in Quantity Unit Price (\$/Unit)
1. Site Access & Improvements	0230				
Mine Site			Access 1 ea.	\$_____	\$_____ n/a
2. Demolition & Cleanup	0240				
Guard Rail			1 ea.	\$_____	\$_____ n/a
3. Site Grading & Earthwork	0270				
Area 1		Fill	3,000 cyd	\$_____	\$_____ /cyd
Area 2		Cut	500 cyd	\$_____	\$_____ /cyd
Area 3		Cut	747 cyd	\$_____	\$_____ /cyd
		Fill	2,877 cyd	\$_____	\$_____ /cyd
Area 4		Cut	2,517 cyd	\$_____	\$_____ /cyd
		Fill	2,369 cyd	\$_____	\$_____ /cyd
Area 5		Cut	325 cyd	\$_____	\$_____ /cyd
		Fill	325 cyd	\$_____	\$_____ /cyd
Area 6		Cut	12,132 cyd	\$_____	\$_____ /cyd
		Fill	744 cyd	\$_____	\$_____ /cyd
Area 7		Cut	333 cyd	\$_____	\$_____ /cyd
		Fill	2,859 cyd	\$_____	\$_____ /cyd
Area 8		Cut	57,053 cyd	\$_____	\$_____ /cyd
		Fill	142,901 cyd	\$_____	\$_____ /cyd
Area 9		Cut	13,456 cyd	\$_____	\$_____ /cyd
		Fill	2,162 cyd	\$_____	\$_____ /cyd

Bid Schedule
WHITE OAK MINE PROJECT

Area 10	Cut	136,936 cyd	\$_____	\$_____/cyd
	Fill	137,000 cyd	\$_____	\$_____/cyd
Area 11	Cut	11,134 cyd	\$_____	\$_____/cyd
	Fill	12,376 cyd	\$_____	\$_____/cyd
Area 12	Cut	125,213 cyd	\$_____	\$_____/cyd
	Fill	175 cyd	\$_____	\$_____/cyd
Area 13	Cut	999 cyd	\$_____	\$_____/cyd
	Fill	5 cyd	\$_____	\$_____/cyd
Area 14	Cut	13,912 cyd	\$_____	\$_____/cyd
	Fill	56,141 cyd	\$_____	\$_____/cyd
Area 15	Roughening	8.0 ac	\$_____	\$_____/acre
Area 16	Cut	535 cyd	\$_____	\$_____/cyd
	Fill	535 cyd	\$_____	\$_____/cyd

4. Stream Restoration 0280

Sub-drain Area 5	310 ft	\$_____	\$_____/ft
	325 cyd	\$_____	\$_____/cyd
Sub-drain Area 7	220 ft	\$_____	\$_____/ft
	33 cyd	\$_____	\$_____/cyd
Rip-rap Area 14 - Channel Design A	2,100 ft	\$_____	\$_____/ft
	3,970 cyd	\$_____	\$_____/cyd
Rip-rap Area 18 - Channel Design B	240 ft	\$_____	\$_____/ft
	230 cyd	\$_____	\$_____/cyd
Rip-rap Area 19 - Channel Design B	900 ft	\$_____	\$_____/ft
	863 cyd	\$_____	\$_____/cyd
Perforated CMP Area 17	340 ft	\$_____	\$_____/ft

Bid Schedule
WHITE OAK MINE PROJECT

5. Revegetation 0290

Seed mixture Area	40 acres	\$_____	\$_____/acre
Transplants SE Slopes Area	5 acres	\$_____	\$_____/acre
Transplants NW Slopes Area	4 acres	\$_____	\$_____/acre

Total Bid for WHITE OAK MINE \$ _____

Note: Award of CONTRACT will be based on consideration of both the base "Bid Price" and the "Variation in Quantity Unit Price" for additional/reduced WORK